FARAD CONTINUATION SHEET NO.
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2387 OF 2006

Abdulsakur Abdulrazak Kacchi & Anr.)..Applicants
Versus
The State of Maharashtra)..Respondent

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Mr.S.A.Ingawale for the applicants

Mr.S.S.Pednekar APP for the State.

Coram : R.S.Mohite,J

Date : 3.7.2006

PC

1. This is an application for grant of anticipatory bail. The applicants are shown as accused nos.2 & 3 in MECR No.01/2006 registered by the Rajarampuri police station for offences under Sections 392, 406 r/w 34 of IPC. It appears that the complaint pertains to an incident dated 25.8.2005 on which present applicants and others are said to have come to the house of the Complainant Mahadev Ghodke and taken away scrap material worth about

Rs.1,50,000/-. The contention is that the complaint is false because on the relevant date the present applicant no.1 was in Pakistan. I have seen the original entries in the passport and it does indicate that the present applicant no.1 was not present in India on the relevant date. The police recorded the statement of nephew of the complainant Ramesh and his wife. It appears that the complainant had taken a loan from the applicants. Though the incident is dated 25.8.2005 the private complaint is filed on 31.1.2006 i.e. after delay of several months. In my view, investigation can proceed without custodial interrogation. It is therefore, directed that in the event of their arrest in MECR No.01/2006 registered by the Rajarampuri police station, the applicants may be released on bail in the sum of Rs.10,000/- each with one surety in the like amount subject to

the condition that they will report to the investigating officer once a week on every Monday till the charge-sheet is filed and thereafter once in a fortnight on every first Monday till the disposal of the trial. Application stands disposed of. Authenticated copy of this order be provided.

(R.S.Mohite,J)